

10/507382

Amendments to the international application PCT/US03/07388

Under PCT Article 19 (35 U.S.C. 371)

1. Amendments to the Claims**Date of Amendments:** September 5, 2004**Reasons for Amendments:**

The International Preliminary Examining Authority properly rejected the original claims as "... drafted broadly wherein the patented invention of the prior art of the record met the claimed invention" (PCT Notification of August 30, 2004).

As provided in our argument filed July 19, 2004, the cited prior art WO98/05331 disclosed an invention comprises 3 active agents: (1) **PPAR_γ (gamma) agonist and** (2) **PPAR_α (alpha) agonist** plus (3) optional **metformin**. The current invention disclosed a different composition consists of only two active agents (1) **PPAR_α (alpha) agonist** (gemfibrozil or ciprofibrate) and (2) **metformin**. The current invention showed a surprisingly better effect.

In respect to the rejection from IPEA/US and the prior art, applicants amend the Claim 1 as following. A marked-up copy of the amendments and a cleaned-up version of full application are enclosed.

Amended Claim 1 (Cleaned-up version):

1. A pharmaceutical composition comprising a combination of active agents and one or more pharmaceutically acceptable excipients, wherein the said combination of active agents consists of: (1) a glucose-lowering agent metformin in one of its pharmaceutically acceptable forms, and (2) a lipid-improving agent selected from non-glucose-lowering fibrates.